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Smith & Nephew Case Transferred Out Of Eastern District Of Texas

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Knobbe Martens announced today that the U.S. District Court for the Eastern District of Texas ruled in favor of its client Smith & Nephew, Inc. and granted Smith & Nephew's motion to transfer a patent infringement case brought by Kinetic Concepts, Inc. relating to negative pressure wound therapy. As a result of the decision, Smith & Nephew will not have to defend against the patent infringement claims in the Eastern District of Texas, but will do so in a different jurisdiction in Texas where a Smith & Nephew subsidiary has previously obtained a noninfringement jury verdict on related KCI patents. The transfer decision was one of the first in a patent case by Judge Ward since the Fifth Circuit's landmark ruling in *In re Volkswagen II* to clarify the transfer standard. The Knobbe Martens litigation team representing Smith & Nephew on the transfer motion included Joseph Re, Brent Babcock, Christy Lea, and Andrew Hall.

Contact

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